

## **COMMITTEE ON JOINT SCHOOL BUILDINGS**

**August 22, 2006**

**6:00 PM**

Chairman Beaudry called the meeting to order.

The Clerk called the roll.

Present: School Committee Members Beaudry, Gelinas and Aldermen  
Thibault, Roy and Long

Absent: School Committee Member Herbert

Messrs.: T. Clougherty, A. Jefferson

Chairman Beaudry stated I just want to thank Alderman Forest for his work on this committee and he will be missed. And I want to congratulate Alderman Long for taking his place and hopefully work well.

Chairman Beaudry addressed Item #3:

3. Update on the School Facilities Improvement Project (Monthly Report – August 2006).

Mr. Clougherty stated thank you, Mr. Chairman. I'm going to ask Alan Jefferson to give you the update for the past month's progress.

Alan Jefferson, DMJM, stated good evening everybody. Progress is limited to primarily punchlist activities and reconciliation and miscellaneous completion of MEP work...roof, duct, tile installation. That's also at both the high school and the middle school level. I looked at progress at the elementary school, Beech Street, which had some changeover work executed, including the exterior grate installation and exterior canopy replacement. That work is complete. The rubber stair installation is nearly complete and also the new bleachers are scheduled to be delivered sometime next week, then subsequently installed. At Wilson, also, some

MEP installation is ongoing and nearly complete, and there was some rework of some of the flooring over there. They had some flooring issues and they've recently redone that. Outside of that, the major progress has been made at Green Acres, which is basically the roof replacement and I think that's at or near completion at this point in time. That's about it.

Mr. Clougherty asked does anyone have any questions on progress. We'd be happy to entertain...

Alderman Long stated with respect to the punchlist, did we see a substantial reduction in that list as we're moving forward here or is that...because I know that you have it as a critical issue.

Mr. Clougherty stated yes, we do see a reduction. However, there are still a substantial number of outstanding items that we're looking for Gilbane to complete.

Chairman Beaudry stated Tim, I have a question on Beech Street. Will the bleachers be in before school starts?

Mr. Clougherty responded I don't think that they're going to be in before school starts. We expect them to be in shortly after. There was an added change to the program.

Chairman Beaudry stated there is one other issue too that is kind of lingering over there. I know there's the bleachers and...

Mr. Clougherty stated rubber stairs, rubber covering of the stairwells is getting done. And we anticipate that to be done for the start of school. And outside of the design/build project, we have upgraded the fire alarm system. That's going very well and we've just had it tested, either earlier this week or late last week, and that went very well, so we anticipate that to be fully implemented by the time school starts.

Chairman Beaudry stated I know I talked with the principal over there and she was very happy with the fire alarm system and how it's been working out, so that's a plus.

Mr. Clougherty stated I'm glad to hear that.

Chairman Beaudry stated her bleachers are a top priority because they use that gym a lot.

Alderman Roy stated Tim, I know we're working on getting an update regarding other issues with Gilbane, but the overall...just your feelings on whether or not they're going to get this done, when we are going to have the punchlists done. A number of the buildings are beyond their closeout time. How is the relationship?

Mr. Clougherty responded right now as far as closeout of the buildings, the only dates that have not been met by Gilbane as of this time are the substantial completion dates for the high schools, which were August 28, 2005. As far as the balance of the schools, those were all scheduled to be complete one week from yesterday which is August 28, 2006. We anticipate some of the schools to be complete, per contract, but not all of them. We're in discussions with Gilbane to work toward that end.

Alderman Roy stated I know the 28<sup>th</sup>, the 29<sup>th</sup>, you're going to be very busy. Could we get an interim report of what schools were closed out, maybe at the close of the month. What schools were closed out, what schools are remaining, and what their plan of attack is.

Mr. Clougherty stated if I may, give me about a week to two weeks after, because what we do is on that day, which is the contractually required completion date, Alan and his staff will be touring the various schools to assess the actual condition on that day of each and every school, and that condition is then transmitted to Gilbane as to whether we feel they've substantially completed or not; it notes any deficiencies. So it's a pretty easy report to get into your hands. I just ask for a little bit more time, given the fact that there are 18 schools and I'm going to be quite busy that week just running around, making sure that the schools are in tidy shape for the opening day on the sixth.

Alderman Roy stated so you feel, requesting that like Monday, the fourth, would be...

Mr. Clougherty stated I think that would be kind of tight because the 28<sup>th</sup> through the fourth we've still got the holiday weekend in there.

Alderman Roy asked, Mr. Chairman, when is our next committee meeting?

Chairman Beaudry stated it's usually the fourth Tuesday of the month.

Alderman Roy stated so we're almost there anyway. I'm just expressing that I'd love to see Gilbane getting these schools ready for the children when they're supposed to be ready for the children and I'll actually take that pressure off of you if you just want to bring that to our next committee meeting.

Mr. Clougherty stated as far as Gilbane goes, we don't anticipate any major problems or any problems with having schools open. These are separate and distinct issues at this point in time. Some of the schools, where we had some more intrusive work, Wilson, Beech Street... we feel that they're going to be in good shape. The 28<sup>th</sup> of August is a contractual completion date where they're supposed to have items that are outstanding complete. They might be minor and won't affect school opening, but they still need to be done in order to be in compliance with the contract. I don't anticipate this affecting school operations.

Alderman Roy stated and neither do I. It's just that we've had construction of schools for quite a few years now. A lot of it's been very effective. I just don't want other relationships and legal aspects to start lingering into a school children's year. And so, that being said, I look forward to when everything is complete, as do the two of you.

Chairman Beaudry stated Beech Street...I'm looking at, actually, last month's agenda, the exterior grate removal and entrance. How is that coming and is the façade going to be changed? I know the principal over there wanted that orange color off and had that copper or brown color that matches the windows that were put in there.

Mr. Clougherty stated the grates are done. The sign is done.

Chairman Beaudry stated so all the orange is off the front of that building?

Mr. Clougherty stated I haven't physically seen it myself but I know I was told previously and Alan's confirming that the signage was completed.

Chairman Beaudry stated I go down Beech Street but I never turn around and look at the sign.

Mr. Clougherty stated you might run into a trailer if you do that, so you don't want to do that!!

Chairman Beaudry stated, a couple of other things...on Jewett Street, the parking lot. We had talked about that actually on several occasions. I don't know if it would be a change order or how we would work, but I know there's concerns about safety over there. She would like to have one more row of parking in the back. There would have to be some stones moved back and about sixteen feet, with a strip of tar back there and I know somebody went down to look at it. That was last fall actually. It's still sitting there, and that is a concern, again, because of parking, the buses coming in, students being dropped off, that extra strip of tar

for...I don't know how many cars it would fit but I know the principal would like to see that take place if possible.

Mr. Clougherty stated I know that was under consideration at some level. I don't believe we've ever brought a proposal forward to this committee or your Building and Sites committee. I'm pretty sure that Kevin Sheppard looked at it and probably has an estimate. If not, I will speak with him and resurrect that issue.

Chairman Beaudry stated just so that I get the appropriate...should that go through our Building and Sites first and then this committee, or should it be just handled in this committee?

Mr. Clougherty stated I would think you would want it to go through your Building and Sites committee because it's not a project right now. We haven't done anything with the exterior improvements to Jewett Street School. That would really fall under Parks and Recreation. Ron and Chuck should be involved in some form or fashion with that. I just want to make sure we're not crossing paths with any master plans for that facility.

Chairman Beaudry stated I'll bring it up next Monday at our meeting. The other thing – noise. Jewett Street, Southside, the HVAC systems. Update on that, and also at Memorial High School, in the gymnasium, noise in that mini-gym. How is that coming along?

Mr. Clougherty stated according to Gilbane, at our most recent job meeting, either last week or the week before, I can't remember which one it was reported at, Gilbane has executed a contract with an acoustical engineer. And they're going through each and every one of the systems at the schools in question, which is most of the schools, that have noise problems with the ventilation systems. Their first round, if you will, of analysis was done at the middle and high schools. They currently have that in their possession. We don't have a copy but my understanding is that they will be formulating a plan in order to execute and mitigate the noise, on the advice of their acoustical consultant. They also reported that they will be undertaking the elementary schools in the same fashion, either immediately or in the not too distant future.

Chairman Beaudry asked now will you get a copy of that? Will be involved in the assessment side of it and implementation of whatever they need to quiet these schools down?

Mr. Clougherty stated before they do anything to these systems, yes, I want to see exactly they're going to be doing to make sure that it meets with our quality and performance standards, as well as aesthetical and operational, maintenance, the

whole nine yards. So, whether I get a copy of this report...I'm not sure if they're going to be forwarding one, but minimally, we will be working at whatever they plan on doing to these systems, prior to that being done.

Chairman Beaudry stated and my last...Bakersville bathroom. Where does that stand in the realm of things? Second floor bathroom?

Mr. Clougherty stated that was where we were going to turn a computer room, which was a bathroom previously, back to a bathroom, in conjunction with the janitor's room. I don't have an update on that right now. We did get a proposal from Gilbane to design it. We felt that the cost for the design was exorbitant and subsequently rejected it and have not followed up on it. But I will do so and bring it forward to this committee for entertainment.

Alderman Roy stated I don't know if I missed it at our last meeting, but that's the first conversation I've heard about that. Is that something that would fall under the Design/Builds in our contingency, the bathroom at Bakersville?

Mr. Clougherty stated it would be part of the construction project and would be under Design/Build. It would be a change order though.

Alderman Roy stated and you're comfortable with that being in Design/Build, Tim?

Mr. Clougherty stated I think that it could fall under the umbrella of Renovations and Additions, which was the intent of the project. Legally, I think that the trustee, Kevin Clougherty, if an official opinion is warranted, I think that should probably come from him. At this point in time, I don't anticipate this would be a change order to Gilbane's contract. It may simply be funded through the bond issuance. And we'd contract it directly with someone to execute.

Alderman Roy stated I'm comfortable with that. I know it's needed, but with our position with Gilbane I'm glad that it was rejected and we're working toward other means.

Chairman Beaudry stated I concur with that. I want the best job for the least amount of money. So, if we can send it out for a bid or whatever you can do, Tim, to work out something that you feel is a good bid...

Mr. Clougherty stated the reason that I say that I don't think that we could accomplish it through Gilbane at this point...before Gilbane would give us an estimate on the cost, they asked us to execute a change order for the design of this bathroom, and it was the design costs that we felt, and I still feel, are exorbitant.

And therefore I'm not going to spend that kind of money for a design where I think the construction should be less than what the number is in front of us.

Chairman Beaudry asked is the committee comfortable with that, as far as...

Alderman Long stated with respect to the punchlist, are there any items that are critical to be completed prior to the students going into the classrooms? And if so, do you feel they'll be addressed prior to school starting?

Mr. Clougherty stated yes and yes. I don't have a complete list, I'm not trying to be evasive. There are some things that are ringing through my head right now that we've talked about. I've said to Alan, make sure you send them correspondence. This needs to be done before September 6<sup>th</sup>. Some leaking roofs, some duct work that needs to be insulated. That's sweating and you know what that leads to, so there are some things like that we're looking for them to step up to the plate and complete in the next two weeks.

Alderman Long stated these items aren't arguable with respect to, we shouldn't be doing this?

Mr. Clougherty stated not that I've heard.

Chairman Beaudry asked are there any other questions?

Mr. Clougherty stated if that is the case then our course of action is to notify them accordingly and I'll get it done, for the safety of the students, with our own forces or outside forces.

Alderman Long stated very good and thank you.

Chairman Beaudry asked any further questions?

On motion of Alderman Gelinas, duly seconded by Alderman Thibeault, it was voted to accept the report and forward it to the Board of Mayor and Aldermen for informational purposes.

Chairman Beaudry addressed Item #4

4. Scrape/prime/paint dust collection cyclone at Manchester Memorial High School @ \$940.00.

Alderman Roy stated I'll defer to Tim. He may answer some questions prior to...were you going to say anything about it?

Mr. Clougherty stated I was just going to make sure that everybody was aware that this was something that was brought up at the committee meeting last month and I was asked to follow up on it. We did. There is a quote and you should see some pictures circulating. The price is reasonable. I put in there exactly what the contractor quoted me, but once he gets out there it may be, we know, \$100 or \$200 more, but I think it's a pretty reasonable price, given the size of the unit. It's got to be scraped, primed, painted, and it looks ugly. I recommend doing the work.

School Committee Member Gelinas stated Tim, I find it surprising that this is going to be done by an outside contractor. We couldn't do this inhouse?

Mr. Clougherty stated we don't have any painters inhouse.

School Committee Member Gelinas stated that's news to me. Okay.

Chairman Beaudry stated actually that was all part of the proposal right in the last budget. You were going to get two painters but that didn't come to fruition.

Mr. Clougherty stated that's correct.

Alderman Thibeault stated shouldn't that come out of the regular maintenance of the school department or does that have to go to that...a bond issue? Why couldn't that go with the regular school budget, as far as maintenance?

Mr. Clougherty stated this could go with the regular school budget, as far as maintenance.

Alderman Thibeault stated I hate to keep chopping at that money that's left over there, you know...

Mr. Clougherty stated the money that we had identified in our budget for projects such as this was between \$300,000 and \$400,000. So it's pretty easy to knock off items like this. The committee wouldn't even see them. We'd absorb them under our operating budget and we'd move on from there. Unfortunately, with the school budget being the way it is, and the rest of the City budget being the way it is, obviously some cuts were made and this special projects line item was one of the items, one of the lines, that received the most significant cut. So we went from the \$300,000 level for projects such as these to the \$40,000 level. So right now that \$40,000 is only going to address those items which are emergencies. And,



this isn't an emergency. It's an aesthetic item. If, come May or June of next year, we have money in our budget, I'd be more than happy to take it out of the operating budget, but at this point in time, that \$40,000 really has to sit there just in case there's an emergency.

Alderman Roy stated I mean there's no doubt in my mind that this needs to be done. It looked awful when we were at Memorial, Tim, and it looks awful now. But again, my questioning goes along the lines of...should it come from the bond, I mean, on the Aldermanic side, we've gotten our wings clipped quite a bit on every decision that we make regarding the contingency fund. And, I would like either Tom Arnold or Kevin Clougherty to weigh in on...are we within bounds to take another \$1,000 out of our contingency to get this done, versus the preventative maintenance of the school budget. I do believe it does need to be done and I'd like to see the high school that I graduated from look as nice as it can, but again, it's just where it comes from and how it gets done is my line of questioning.

Chairman Beaudry stated I don't know where you want to ask that question.

Alderman Roy stated I don't know if Tom, the Solicitor, can answer it or the Finance Department needs to...

Chairman Beaudry stated I mean it is a renovation...

Mr. Clougherty stated I wouldn't venture an answer right now. We can certainly look into that and get back to you.

Alderman Roy stated thank you, Tom.

School Committee Member Gelinas stated I guess the question really can't be asked now because we don't have an answer to the question that Alderman Roy asked. I'll ask this: how long of a project is that going to take?

Mr. Clougherty stated a couple of days.

School Committee Member Gelinas stated so if we defer it till next month there's still time this year to do it.

Mr. Clougherty stated yeah, I think there will be.

School Committee Member Gelinas asked was the contractor's proposal, did it have a time frame as to when it would expire if it wasn't done in a certain time?

Mr. Clougherty stated to the best of my knowledge it didn't. I didn't see the physical proposal. The number was verbally given to me by a program supervisor but I don't anticipate the price changing very much if we decided to defer it a month. If I may make this suggestion, you could vote to spend the monies out of the contingency, contingent upon approval from either Tom Arnold or Kevin Clougherty that it's within the lines and bounds of our issuance.

Chairman Beaudry stated it's going to be my recommendation to the committee, if they so wish to take it.

School Committee Member Gelinas moved to approve an estimated expenditure of \$940.00 from the School Facilities Improvement Project contingency for scraping, priming and painting the dust collection cyclone at Manchester Memorial High School, subject to review and determination by the City Finance Officer that such expenditure is allowable within the scope of the related bond. Alderman Roy duly seconded the motion.

Alderman Roy stated last month we had the discussion about that structure being aesthetically pleasing to the neighbors. If we repaint it, does that solve the problem? I remember we talked about some fencing, some lattice work. Does this solve the problem, just cleaning it up. Or are we just putting it off for another five or ten years till they discuss not liking it again?

Chairman Beaudry stated I would like to answer it by...if you look at the pictures where there's parking right there, and if you start putting trees or fencing, you're going to inhibit, I believe, the parking and the access to that unit. I believe I said it last month that there was a fire in that unit several years ago when I worked Engine 7 and I believe we had a hard time getting access to that unit. So, if they cover it up, again, I think you'd be taking away from where they're parking and plus getting to the unit itself. That's my two cents.

Mr. Clougherty stated I don't have anything to disagree with that. I mean, I haven't talked to any of the neighbors. It terminated at this committee and the painting proposal is the most economical.

Chairman Beaudry asked are there any further questions? There being none, Chairman Beaudry called for a vote on the motion. The motion carried with Alderman Long duly recorded in opposition.

Chairman Beaudry asked other business?

Alderman Gelinas asked are you going to take a vote on number four?

Chairman Beaudry stated that's what we just did.

Mr. Clougherty stated Mr. Chairman, if I just may update the committee on some of the other projects we have going on, and I apologize there aren't written reports included with this month's agenda. We've spent so much time on the Design/Build project over the past few years, some of the other projects have kind of fallen by the wayside, as far as reporting. I just wanted to make the committee aware that the Parker Varney partitions, at that school the project's going very well. The contractor is on schedule. It continues to be a very, very tight schedule. We're watching it on a daily basis and we anticipate school to open without a hitch on the sixth. The second floor, some of the classrooms are complete. The furniture's being moved back in. The belongings are being moved back in. The contractor is working on cleaning the other rooms as they are complete and moving the teachers back in. When I spoke with him yesterday, contractually they're required to have the spaces available for Friday the first. They were somewhat confident that they'd be able to beat that deadline by a couple of days and allow the teachers in early. So I wanted to make sure that the committee was aware of that. Additionally, we've been working diligently with CMK architects and Karen White, the principal at the Manchester School of Technology, on the design of the renovation project over there for subsequent submission to the state DOE and legislature for consideration during the 2007 time frame. We've also successfully moved the portables at Hallsville and Gossler Elementary Schools and anticipate having final electrical, sewer, and communications hook-ups done at those sites for the opening of school. That's about it.

Alderman Roy stated Tim, the MST project. Will that fall under the purview of this committee?

Mr. Clougherty stated I believe that it would.

Chairman Beaudry stated actually, Tim, that's a question that I'd like to raise this evening. Tom Clark is out in the back but...the Parker Varney school...there is some confusion as far as the contingency funds. There was some money that had to be expended to put shelving under the stairwells because they had cabinets that were in the halls and now they're going to get rid of those and put shelving in and it was an additional \$26,000. I was wondering, what jurisdiction...it should be under this committee. Am I correct in saying that? Any bonded money would be under the joint committee.

Mr. Clougherty stated that's correct.

Chairman Beaudry stated a question I have, and I've got a letter and I'm going to hand this out to the Building and Sites committee, the school side, from Fred Matuszewski explaining why that wasn't in the scope of the program. I guess Eric Crougar...who is...I don't know if I...does he work with Building Maintenance or does he work with you?

Mr. Clougherty stated he works for Facilities division. He's our construction superintendent.

Chairman Beaudry stated the question I have is there was an email that stated we made the recommendation to put these shelves in instead of putting the lockers down inside there. It doesn't say who "we" are. If it's a change in scope, wouldn't that have had to come back to the Building and Sites committee of the school side to change that scope?

Mr. Clougherty stated I don't believe that was a change in scope. The scope that you guys...that the Building and Sites committee voted on included the three storage areas. There are actually seven storage areas...no. There are two stairwells and three storage areas. One is a fire pump room. Those were all included in the original plan. This is really an equipment purchase and when Mr. Crougar is referring to "we" regarding decisions made for shelving and scuttling some of the moveable storage units, he's referring to the team that's involved in the building construction project, which would include himself, myself, Fred Matuszewski from CMK architects, as well as school administration, most importantly the principal, Phil Callanan. When that design was finalized, and I think the Building and Sites committee saw the final plans, we walked through the school. It's easy to see a 30 by 30 room with shelving units and cubbies for storage and coat hooks and things like that. Until you physically walk through the school, which was done, and kind of do an inventory of all the stuff that's in the building, it's difficult to understand how you're going to take it all out and how it's going to fit back in. Because that was an open concept school, these rolling shelving units were all over the place. They literally used them as barriers from one classroom into another. And, when we looked at the final product, there was a lot of storage there which provided built in, quite nicely. These units quite simply don't fit. There won't be enough room to fit the kids if all these things are moved back in. A lot of them are in a state of disrepair. The storage rooms that we're talking about have high ceilings and these shelving units are really not conducive for use in that fashion. They have doors that open, and as soon as you have doors that open, you've just limited your aisle space and minimized your storage in such an area. So the shelving units were felt to be the best fit in those areas. Like I said, some of those things don't come up until after you've done a full assessment, you're design is all complete, and this project was extremely fast track. I think that all those involved from Bill Sanders and Phil Callanan, Eric Crougar and Fred

Matuszewski have done a great job, as well as the contractor, Meridian Construction in getting the school done. I don't want to give them all the high praises just yet. I'll wait till the sixth, but this has been one of the more difficult projects we've undertaken and personally, if it's some shelving units that were missed, with \$26,000 over the \$1.4 million project, I think they had their I's dotted and their T's crossed pretty well when the design went out.

Chairman Beaudry stated I don't disagree with anything you said, and I know it would have slowed down the project if we would have waited. What transpired was the appropriate thing to do but where I get somewhat perplexed is with the last sentence in his letter. Again, I would give a copy out; I didn't plan on actually bringing this up tonight. I was going to bring it up at our Building and Sites committee meeting. But it says, "In addition, these shelvings result in a change in scope to the contract." So, he states that it's a change in scope in his letter and any change in scope should come back to the Building and Sites committee for concurrence. I don't know when you realized the lockers weren't going to fit and the shelves had to be done, but, if the timing was off, I don't know, but my understanding...when there's a change in scope it should come back to the school side to concur with the change in scope.

Mr. Clougherty stated I would agree, but I also don't think that the statutory requisite for approval by the Building and Sites committee was taken into consideration when that email was drafted.

Chairman Beaudry stated this is the first project of this sort where we used CIP money to actually close in buildings since I've been on the Board and when I was asked who has authority over the project, I told him I believe it's the Joint that really has the funding side of it.

Mr. Clougherty stated the Joint definitely does. If you're asking if my opinion is whether it's a change in scope or not, definitely not. The wrong wording was used and if that's a matter for the City Solicitor, then I think that question should be asked. What we're talking about is furnishing storage rooms with storage shelving. I don't see that being a change in scope. If the City Solicitor has a different opinion, and wants it to be reconsidered by the Building and Sites committee, that's fine. But, the decision, as I said, was made...the recommendation was made by the building team and it was brought forth to Finance at the school administration side because there are other factors under consideration as to how potential balances in that contingency should be spent. All involved thought that it was a wise use of the funds and fully outfitted the spaces that were provided to the school.

Chairman Beaudry stated and I agree. I just wanted to air this out so...is that project going to fall under the same language as a design/build with anything over \$20,000 has to come before this committee? I mean, when you're looking at a \$1.3 million, \$1.4 million project, I think that parameter is a little high for that project. Again, it's almost over, it's almost done, but that's something I think that we were remiss in looking at when we did this as far as how we were going to set up the contingency money and how that contingency money was going to be spent. And I do believe that the right decisions were made. When it comes to Highland and the rest of the buildings that are going to be closed in, maybe we can look at that.

Mr. Clougherty stated technically, the use of the contingency funds, as I understand it, and Tom, correct me if I'm wrong. As either part of the bond issuance or part of the approval for the project, it was specifically stated that this committee would have jurisdiction over the use of contingency, and I don't believe that to be the case for other such bond issuances.

Chairman Beaudry stated so this is a specific one for this project...was specifically designated that the Joint Building and Sites would have oversight over the contingency.

Mr. Clougherty stated that's correct. Traditionally, the department administering the project, which is probably 99 times out of 100, the Department of Public Works Facilities Division or the Department of Public Works, we have had the ability to utilize contingency as was necessary throughout the course of the project, provided we don't increase the scope of the project, for things and unforeseen conditions or fixtures, furniture and equipment as I'm talking, and those change orders were brought forth to the committee for informational purposes because the committee did have financial oversight.

Chairman Beaudry stated again I just want the committee to be aware that as we get into these other schools down the road we should look at probably setting up policy, as we did with the design/build project and put parameters on the...as far as contingency money – how it will be spent, what dollar amount would they have to get to before they come to us – those sort of things. Thank you though, Tim, I just wanted to bring that out this evening. The Aldermen I don't think were aware that that project was that far in advance, almost completed, actually.

Alderman Long stated Tim, we had spoken earlier with respect to the contingency money and the amount that needs to come before this committee with respect to allocation of change orders or, I believe it's \$25,000. Seeing that the projects are settling down and we're looking to do our due diligence with respect to allocation of this money, do you foresee a problem if we were to change that \$25,000 to \$2,500?

Mr. Clougherty stated I wouldn't see a major problem at this point in time. I'd ask the same thing as we talk about other projects. If there are issues that are time sensitive that we couldn't wait until the next meeting, or conduct a phone poll, allow us to move forward, give us the authority to move forward, if it would delay the contractor otherwise or if it's an inevitable type of change. You can appreciate, being in the construction business, what I'm talking about. Discretionary change orders? I don't have a problem not having the authority. I'm fine with that.

Alderman Long stated now with respect to the bonds, is phone polling, Tom, acceptable?

Deputy Solicitor Tom Arnold stated no, it's not a legal vote.

Alderman Long stated which we would ratify at our next meeting.

Mr. Arnold stated telephone polling has certainly been a practice here in this city. However, I would note that the formal approval is the ratification of the vote and not the telephone poll.

On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to reduce from \$25,000 to \$2,500 the maximum amount that can be spent from a contingency fund for a change order without the approval of this committee.

Alderman Long stated with respect to that punchlist again, the school start issues...you said that if anything was critical with respect to the school opening, where would you get the money if you were to do that on your own? I know you said that if there is an issue that can't be addressed, you foresee it not being addressed, prior to school starting, that you would take care of it on your own. Where would that money come from?

Mr. Clougherty stated there are several different avenues we could follow, depending on whether it was in Gilbane's contract or not. We felt it was in Gilbane's contract. There are dispute resolution methods in the contract as well as provisions for moving forward absent action from the contractor. If it wasn't in our contract, it would come out of our operating budget, perhaps a CIP line item.

Alderman Long stated and you don't anticipate right now that being a problem.

Mr. Clougherty stated I don't anticipate that being a problem but I don't have a crystal ball either.

There being no further business to come before the Committee, on motion of Alderman Thibeault, duly seconded by Alderman Long, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee